

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

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ORDER REGARDING PROCEDURES FOR HEARINGS ON NOVEMBER 18 AND 20, 2020

The Court will conduct hearings on certain omnibus claim objections in the above-captioned cases (the “Hearings”) beginning at **9:00 a.m. (Atlantic Standard Time) (8:00 a.m. EST) on November 18, 2020, and November 20, 2020.**² In light of the ongoing COVID-

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² For the avoidance of doubt, paragraphs 1 and 3 of this Order do not apply to the pro se claimants who appear at the Hearings pursuant to the Court’s *Order Regarding Pending Omnibus Objections to Claims* (Docket Entry No. 14419) and *Order Regarding Notices of Adjourned Objections to Claims* (Docket Entry No. 15005).

19 public health crisis, the Court will conduct the Hearings telephonically via CourtSolutions.

The Hearings shall be governed by the following procedures.

Registration for Speaking and Listen-In Lines for Attorneys; Listen-In Facilities for Members of Public and Press

1. Attorneys who have entered an appearance in the Title III proceedings may register to participate as speakers or listen-in on the proceedings by telephone. Such attorneys must register with CourtSolutions at www.court-solutions.com no later than **November 16, 2020, at 5:00 p.m. (Atlantic Standard Time)** and pay the fee established by CourtSolutions. In order to promote the efficient conduct of the proceedings, the number of speaking participation lines shall be limited. The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) shall be limited to three such speaking lines each, and each other party in interest shall be limited to two such speaking lines. There will be no limitation on the registration of listen-in lines for attorneys who have entered appearances in these proceedings.

2. In order to listen-in on the proceedings by telephone, members of the public and press should dial the toll-free number (888) 363-4749, and enter the access code (7214978) and security code (7373) when prompted. The access lines for press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited. Although Judicial Conference policy generally prohibits the broadcasting of proceedings in federal trial courts, the Executive Committee of the Judicial Conference has approved a limited temporary exception to the policy to allow a judge to authorize the use of teleconference technology to provide the public and the press with audio access to court proceedings while public access to federal courthouses is restricted due to the health and safety concerns presented by the COVID-19 pandemic.

Order and Number of Speakers; Telephone Etiquette

3. For each matter scheduled to be heard at the Hearings, counsel who intend to speak must jointly file an informative motion by **November 16, 2020, at 9:00 a.m. (Atlantic Standard Time)** identifying (a) the relevant claim objection, (b) the parties who intend to appear and speak in connection with the relevant claim objection or response, (c) the names of no more than two individuals who intend to speak on behalf of each party in connection with the relevant claim objection or response, (d) the order in which the parties to the relevant matter shall present argument, and (e) time allocations for each speaker.

4. During the call, the individuals who are allocated speaking lines are directed to observe the following rules:

- a. Use a landline whenever possible.
- b. Use a handset rather than a speakerphone.
- c. Identify yourself if asked to do so.
- d. Identify yourself by name each time you speak.
- e. Mute yourself when you are not speaking to eliminate background noise.
- f. Spell proper names.

5. All persons granted remote access to the proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

Pre-Hearing Filing Deadlines

6. An agenda outlining the matters to be addressed and the projected timetable will be filed by Debtors' counsel by **November 16, 2020**, for the November 18, 2020, hearing and by **November 18, 2020**, for the November 20, 2020, hearing, in accordance with the Thirteenth Amended Case Management Procedures. (See Docket Entry No. 13512-1, § III.M.) The agenda shall also include the information filed pursuant to Paragraph 3, supra, and the following information: (a) the relevant claim objection(s) and the names of the individuals presenting responses to the claim objection(s) for each time slot, (b) the attorney presenting the claim objection(s) for each time slot, (c) a time allocation (including interpretation) of ten (10) minutes for the presentation of each claim objection, twelve (12) minutes for each claimant's response thereto, and five (5) minutes to reply to each response. Debtors' counsel shall file a revised agenda if circumstances have changed or if requested to do so by the Court. Debtors' counsel shall email a proposed agenda, including preliminary time allocations, to the Court by **November 13, 2020, at 12:00 p.m. (Atlantic Standard Time)** for the November 18, 2020, hearing and **November 16, 2020, at 12:00 p.m.** for the November 20, 2020, hearing.

7. The Debtors must submit electronic hearing binders to the Court to swaindprcorresp@nysd.uscourts.gov by **12:00 p.m. (Atlantic Standard Time) on November 17, 2020**, for the November 18, 2020, hearing and **12:00 p.m. (Atlantic Standard Time) on November 19, 2020**, for the November 20, 2020, hearing. The Debtors shall prepare one electronic hearing binder for each Hearing date. Each such binder shall consist of one

consolidated, bookmarked PDF containing CM/ECF-stamped courtesy copies of all of the pleadings relevant to that Hearing date.

SO ORDERED.

Dated: November 12, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge